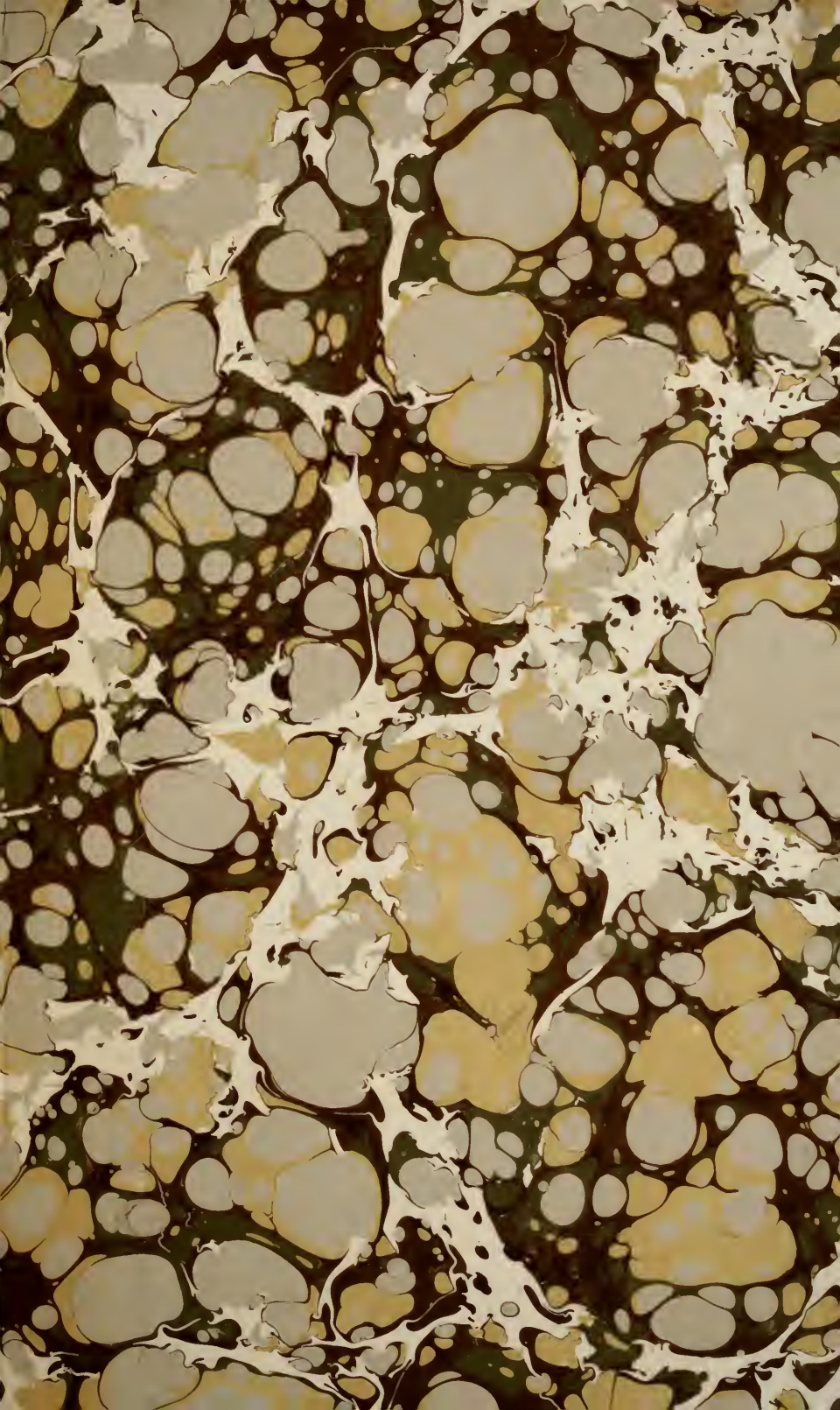

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A

# WORD

IN DEFENCE OF

# The BILL of RIGHTS,

AGAINST

# Gagging Bills.

By THOMAS BEDDOES, M. D.

Rara temporum felicitas, ubi ſentire quæ velis et quæ ſentias dicere licet.

TACITUS.

Stay, happy days! while, free from baſe controul,
The tongue may tell the dictates of the ſoul.

ANON.

Briſtol:

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# DEFENCE

OF THE

# BILL of RIGHTS.

" IT is the Right of the Subject to petition the King, and all Commit-
" ments and Profecutions for ſuch petitioning are illegal."

BILL of RIGHTS, Art. 5.

THE individual inhabitants of Great Britain have been diſtinguiſhed for a century paſt by ſuperior generoſity, openneſs, and energy of character; the ſociety at large by a degree of unexampled proſperity. For ſo long have we enjoyed in a ſuperior degree the uſe of REASON and SPEECH, the two great faculties by which the Almighty has diſtinguiſhed MAN from the brute creation. Other countries more favoured by nature, have languiſhed in time of peace; and though far ſurpaſſing us in numbers, have yielded in war to the courage which liberty inſpired. To look miniſters in the face, to applaud without meanneſs and cenſure without fear, has been our privilege and boaſt. We have felt no dread of capricious miſtreſſes, of ſpies ripened by pocket-picking for perjury, or vindictive agents of government. We have it among the moſt ſolemnly recorded and recognized of our rights to deliberate in common concerning grievances without miniſterial controul, and to petition with frankneſs for redreſs. This inheritance we derived from our anceſtors, by whom it was dearly bought, as by us it has been ſecurely enjoyed. Two years ago was it ſuppoſed, that there exiſted a tool of deſpotiſm ſo abject as to dream of diſpoſſeſſing us? But two weeks ago couldwe be apprehenſive of loſing that, which more than being born in a certain country, conſtitutes us Engliſhmen? Ten thouſand ſwords were called by the fancy of Mr. Burke from their ſcabbards to avenge a look threatening inſult to the beautiful and high-born Queen of France. What conceptions would have crowded in upon him at the idea of an infringement of Britiſh freedom, more audacious than Pitt the elder ever imputed to Lord Bute, or Pitt the younger to Lord North? Millions of indignant voices reprobating the ſacrilege, and millions of hands ſigning petitions for an impeachment of its perpetrators, would have been forms of diſapprobation too tame for his exalted imagination,

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imagination It remains to be ſeen whether the countrymen (and once the conſtituents) of Mr. Burke are ſo aſtoniſhed at the magnitude of the outrage, or ſo ſunk in ſpirit as to refrain from an humble petition and remonſtrance, ere yet a wall of braſs be interpoſed between the people and their repreſentatives.

To go about to convince men of what they ought to know by feeling rather than reaſon, is a diſheartening taſk. Nor can I repeat the triteſt truths of hiſtory without a ſenſe of degradation. My own pride is hurt, I am concerned for the underſtanding of my reader, when I tell that the poſſeſſors of power are ever on the watch to encroach; that a nation which ſlumbers over its rights, will be fortunate if it awake not in fetters; that the faireſt pretexts are ever thrown over the fouleſt deſigns; that crafty ſtateſmen take advantage of the fineſt feelings of human nature, to plunge mankind into miſery; that to convey powers hoſtile to humanity, in dark ambiguous terms, is a common fraud; for there remains the expedient of explanatory acts to define and enforce; and the people having been familiarized to the firſt evil, it is expected that there is hardly any aggravation at which they will revolt.

Theſe maxims, founded on the ſad experience of ages, apply to all attempts to lay the people at the mercy of adminiſtration. They are the truths of all times and all countries. But there are immediate and certain evils to be apprehended by us from the deſtruction of the *bill of rights*; evils terrible in themſelves and more grievous to Engliſhmen from their long habitude of freedom.

Before I enumerate the principal of theſe evils, (for to deduce them in their whole extent, and paint them in all their horror, is a taſk beyond the talents of the writer and the preſſure of the occaſion,) I muſt put it to my reader to determine whether

*to alter be not to deſtroy.*

To be debarred from aſſembling, except under the arbitrary authority of a magiſtrate, who may and in all important caſes will be dependent on adminiſtration, what is it but to be debarred from ever carrying a petition adverſe to the will of the miniſter? What body of men ever ſo reſpectable; ever ſo friendly to order; ſo abhorrent to anarchy; holding in view an object ever ſo commendable, ſhall meet without danger of being ignominiouſly diſperſed as vagabonds; and even arreſted as ſeditious, or impriſoned as felons, if human frailty ſhould allow one burſt of juſt indignation? And this by a wretched hireling, diſpoſed to amuſe himſelf with the capricious diſplay of his authority, when he is charged with no ſecret inſtructions from his employers; who, when he is not the puppet, will

act

act the petty tyrant, of the hour?————The more incapable, designing, or dangerous the minister, the more certainly will he guard his follies or his villainies with the gorgon shield of FELONY. No modification, therefore, I contend, of this grand essential prerogative of freemen can be projected, which shall not subject its exercise to the indirect but entire controul of the minister. And looking to the history of our country for the last twenty years, we may perceive how often it has been necessary to controul ministers by the exercise of this right. By what but the exercise of this right was the American war arrested in its horrid progress? By what else was another war prevented? By what but the disapprobation of the people, in some manner expressed, can the present more ruinous and bloody contest be terminated?

To surrender this right, then, would be deliberate political suicide. And be assured, that neither national prosperity nor the noble attributes of the British character will long survive the death of freedom. Our immediate ancestors harboured suspicions of a settled design to stifle that spirit of freedom which is to the moral order of society what the vivifying sun himself is to the physical order of the universe. I have neither time to state, and who needs to be told, the dark designs imputed to Lord North, to his predecessors, and his secret directors? But was it ever prophesied that a minister should dare to aim an open stroke at liberty, using for his dagger the misplaced confidence of the people!! That people making no legal effort to ward off the blow; the last of the Britons overwhelmed in speechless amazement!

1. To abolish the bill of rights under the pretext of altering it is to cut by one cruel stroke the nerve of affection, by which each Englishman feels for the welfare or adversity of all—the nerve which connects us all with the sensorium of the State. An unskilful minister engaged in a pernicious war and trying like a desperate gamester to retrieve his original rashness, may go on staking our property and lives, till the last guinea and the last man, capable of bearing arms be sacrificed. If you complain in a manner not subject to the proposed penalties, (to which imprisonment in the Bastile is a tender mercy) yet you will be answered by a brutal and unprincipled tool of administration: "March, pay, and be d-mned.—What are "public affairs to those, whose only part is to suffer and obey." 2. Once violate that, which has not less emphatically than justly been styled the Palladium of English liberty—the freedom of the Press, and the first of our unprincipled ministers, if he have the least management, may inscribe upon the lips of every inhabitant of Great Britain the terrible motto of despotism: *De par le Premier. Slave, speak not at all of State-affairs, or speak but as I will.*—Who needs to be informed how easy it will be to assert during some moment of confidence or alarm, that the *government* of the country cannot possibly go on, while the measures of *administration* may be canvassed;

and to bring in a ſupplemental act accordingly, declaring it felony to excite *contempt* againſt adminiſtration; as was actually intended by the mover of one Bill. The more pernicious the meaſures, the more ſtrenuous will the junto in power be in maintaining throughout the kingdom the mournful ſilence of deſpair. Miſery will be obliged to ſtifle its groan, and Virtue her ſympathiſing ſigh; till at laſt in a nation characterized by every manly and humane attribute, all the kindly feelings of the heart retire inwards and die———

3. The *influence of the Crown* which the preſent miniſter gave the nation every reaſon to believe he would uſe all his efforts to diminiſh, but which has grown during his adminiſtration to a far more tremendous magnitude than it had attained before, will have no check. Public ſpirit will be extinct or dumb. And on this influence, againſt which the Commons proteſted, and every man inveighed, in whoſe boſom one ſpark of patriotiſm glowed, will no mortal thenceforward be able to "look and live." Then will that prophecy which Mr. Pitt delivered in the ardour of his youthful integrity be fulfilled in all its extent of horrors: "The Houſe of Commons," he predicted, (May 7. 1783,) "which according to the true "ſpirit of the Conſtitution, ſhould be the guardian of the people's "freedom, the check and controul over the executive power— "will through the INFLUENCE OF THE CROWN *degenerate into* "*a mere engine of tyranny and oppreſſion.*"

4. The day on which laws againſt liberty ſhall be enacted, will be a proud day for the enemies of our country, inaſmuch as they will date from the deſtruction of our national ſpirit, the certain decay of our national greatneſs. This, though I have before remarked it, will bear repeating. But what is ſtill more terrible in apprehenſion, inaſmuch as it comes home to every honeſt boſom, is the revolution it will produce in the moral precedency of mankind. Every individual who aſpires after integrity, but is too timid to practice it in the face of reproach or danger, will feel that *it is not the time to be honeſt*. Few people will be able to afford to keep a conſcience. The jubilee of villainy, the millenium of knaves will commence from that hour. And not only the honeſt, but even the rich will be under the domineering influence of thoſe, who at preſent walk about ſociety with ſome modeſt apprehenſion, of having their ears cropped, if they ſhould be detected in their occupation of ſmuggling into courts of juſtice falſe oaths againſt the lives of the innocent. The reader may imagine what a demand will take place for hunters of treaſon, hunters of ſedition, and every deſcription of human blood-hounds, together with perſonages to act the graver part of the *gagging magiſtrate*, if ever a people, unreaſonably diſcontented at hopeleſs war and growing ſcarcity, ſhould aſſemble to frame a modeſt petitionary ſtatement of their grievances.

If any one has ſo little inſight into the tranſactions of this world as to doubt reſpecting the neceſſary aſcendancy of the worthleſs and the villainous, in nations where liberty is infringed,

fringed, I am ſure that on a moment's reflection, his heart and his underſtanding will both aſſent to the melancholy but important truth. An atheiſt will ever make the beſt bigot. A man without honour or conſcience will always feign the warmeſt attachment to any principles, provided his hypocriſy promiſes to give him importance and to promote his intereſt. Hence the moſt abandoned of wretches are always the moſt forward to volunteer their vigilance in a time of public alarm. They aſſume the ſtyle and title, the air and attitude, of friends of adminiſtration. In a Republic they will carry on bloody perſecution under the pretence of *civiſm*; in a Monarchy under that of attachment and affection to the Monarch. Whatever work the miniſter wants them to execute, that they will undertake. The tender-hearted and even the juſt are affected with deep melancholy at the execution of the greateſt of criminals—of a convicted murderer, for example. When they aſſiſt in forwarding juſtice, it is with ſighing and ſorrow for the ſad lot of the criminal, and the degradation of that nature which they have in common with him. But when they ſuſpect that the puniſhment exceeds the offence, and that the law proceeded from a ſpirit of vengeance, or was ſurprized from the repreſentatives of a people by the crafty contrivance of relentleſs miniſters—at a time perhaps when, as Mr. Pitt ſaid of Lord North and his coadjutors, "They may themſelves begin to "dread leſt the indignation of a great ſuffering people ſhould "fall on their heads," (1781)—when good men, I ſay, diſcover a ſanguinary ſpirit in the laws, they feel an anguiſh which ſtretches the heart to burſting; and are at leaſt never forward to aſſiſt in putting them in force. The wealthy, again, will be too indolent and too high-ſpirited for all the dirty and bloody buſineſs of ſuch an adminiſtration: neither would they be truſted; for whenever wicked men, inveſted with authority, have made havoc of their ſpecies, hiſtory ſhews that it has been done by the aſſiſtance of *poor rogues*. It is in character, too, if I may obſerve it by the way, that they ſhould aim at the nobleſt deer of the foreſt. The Ruſſels and the Sydneys muſt ever be the victims of a James and a Jefferies.

What I have ſaid is, I truſt, ſufficient to ſhew how under a bad adminiſtration villains will ſnatch opportunity to exerciſe a half uſurped and half delegated deſpotiſm over men of property, as well as over men of virtue. I could enumerate a thouſand other ways by which the loſs of liberty degrades and depreſſes nations. I think Britons will find it difficult to accommodate their ſpirit to the Procruſtes' bed of ſervitude. When the alternative is *ſpeak or be enſlaved*, the nation will exclaim with common conſent of heart and voice in the comprehenſive words of our popular national ſong:

Rule Britannia, rule the waves,
For Britons never will be ſlaves.

Aſſemble then my countrymen, and pronounce with calm and dignified firmneſs. Mr. Dundas himſelf almoſt called

upon you for your ſentiments, when he ſaid that the impending Bills ought not to paſs, if the people expreſſed diſapprobation. By your peaceful demeanour you will convict of calumny thoſe who aſſert, you are not to be truſted to aſſemble. Let not even an indiſcretion eſcape you, which can lend a plauſible argument to tyranny.

I remember the time when the indignation of the whole people was called forth by an attack only on the chartered rights of one company. What you now ought to feel, when you are threatened with the loſs of your great privilege, which is likewiſe the ſafeguard of all the reſt, I leave to your reflections. I know that a volume might be written to ſhew how little to be regarded was that attempt upon the Eaſt India Company, in compariſon with the preſent upon our moſt highly valued and dearly bought rights. But if a volume might be written, that man who requires a page to convince him of the alarming difference, is already a ſlave in heart.

Citizens of Briſtol! It ſeems uncertain whether your chief magiſtrate will convene you. That ſome of your inconſiſtent wealthy fellow-citizens—once the profeſſed friends of freedom, refuſed to be inſtrumental to your meeting, I know and lament. Unfeeling, daſtardly, and inconſiderate men! who apprehend danger from an aſſembly of the people, and dread nothing from the abrogation of our nobleſt rights! Citizens, take warning from the fact; it is inſtructive. If men who are only weak and miſguided would impede your meeting, on an occaſion to which ages can bring none other equal, what uſe may unprincipled magiſtrates, the tools of an unprincipled miniſtry, make of that law which is to give them deſpotic power over you when aſſembled; a law, which will make it almoſt impoſſible for public cenſure to remove the worſt of miniſters? Citizens! let not petty difficulties prevent the exerciſe of your rights. Aſſemble, if you can find no other place in Queen-Square. I know not if the Sailor who covered the head of George II. when our fleet was retreating before the enemy, be now in our port. If he be, the generous feelings of his untutored mind may induce him to clothe the ſtatue of King William in black, till our liberties be ſecure. Then, Citizens, were our meeting held there, the ſcenery would be appropriate to the occaſion.

I cannot now enquire whether as ſome pretend you may truſt the preſent miniſter with laws which in themſelves theſe very perſons profeſs to abominate. Citizens, if an examination of the miniſter's conduct be permitted, I engage to demonſtrate that this man's whole public life has been employed in winding and doubling along the maze of intrigue, under the guidance of ſelfiſh craft: and that the bittereſt charges in his harangues againſt Lord North are applicable with more force to himſelf. Let his ſucceſs in war—"our "ſevere defeats and ineffective victories" ſpeak for his capacity

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as a ſtateſman. From our ſea victories and from our proſperity in trade, what is his merit? Had not our ſeamen courage and ſkill before him? And our manufacturers and merchants, induſtry, dexterity, enterprize, and capital? Be not cajoled by fluent plauſibility of ſpeech. The fate of the Weſt Indies will determine whether his ill-ſtarred councils (like thoſe of his prototype Lord North) ſhall cut off another limb from our poſſeſſions. I hope you will prevent him from leaving the Britiſh empire a ſpiritleſs as well as a mutilated trunk.

Citizens, you have one fact that ſhews more clearly than a thouſand words, what uſe would be made of theſe new powers. The miniſter had it in contemplation to reſtrict political converſation in private houſes to a limited circle! We *have* boaſted that our houſes were our caſtles. Add to this that it was without contradiction aſſerted in the Houſe of Commons, that numerous warrants were prepared to be iſſued after the conviction of the ſtate priſoners, whom an Engliſh jury acquitted. Remember too the premature declaration of a well known zealous Biſhop.—ſay, SPIRIT OF THE BLOODY ROBESPIERRE, WHAT MAY THESE SIGNS PORTEND!———Beſides, is this a time for applying corroſives to inflame and ulcerate the public mind! Merciful Providence! grant that the blinded eyes of our miniſters may ſee, and their (I fear) hardened hearts feel, that PEACE and PLENTY are lenitives eſſential to public tranquillity!

They talk of property! as if that ſtood not more ſecure than the rock of Gibraltar, till the miniſter in his infatuation, conceived the idea of ſupporting it by his ſubverſive props. It is ſtill immoveably firm; if he have only a lucid interval from the inſanity of imagining that to increaſe diſtreſs is the way to diminiſh diſcontent, that a government becomes amiable through burdens—reſpectable through defeat. But does not the political magician feel that his ſpells are nearly exhauſted! Is it not for the failing efficacy of his wand he trembles!

For myſelf, I deprecate all violence. I have no talents for pillage. Peto placidam ſub libertate quietem. Peace and liberty have my ſincereſt vows. I ſhudder at the idea of confuſion. In this ſpirit, deſcrying anarchy at the end of an avenue of oppreſſion, I proteſt againſt that revolution of law which threatens our liberties. A man accuſtomed all his ſecluded life to ſeek truth by the inſtrumentality of reaſon, cannot well fail to abhor the diſorders committed by mobs. But muſt not the ſame habit of reflection teach him to abhor with ſtill keener deteſtation the diſorders, perpetually deſolating ſociety from the rapacity and ambition of miniſters? In reality how few mobs occur in hiſtory, which have not *directly* ariſen from miniſterial arts, or *indirectly* from oppreſſion, or that ferocious ſpirit of bigotry which it is the duty of all governments to mitigate by diffuſing the divine ſpirit of univerſal charity.

*Clifton*, 17*th November*, 1795.